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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth J. Gruys  
Timothy A. Mitsky  
Ganesh M. Kishore  
Steven C. Slater  
Stephen R. Padgett  
David M. Stark

Serial No.: 09/942,891

Filed: August 20, 2001

For: Method of Optimizing Substrate Pools and  
Biosynthesis of Poly- $\beta$ - Hydroxybutyrate-  
Co-Poly- $\beta$ -Hydroxyvalerate in Bacteria and  
Plants

Examiner:

Group Art Unit: 3746

Atty. Dkt. No.: 11899.0155.DVUS02  
(MOBT:155-3/KAM)

**SUBSTITUTE SEQUENCE LISTING AND  
STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.825(a) AND (b)  
AND STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(g)**

**BOX SEQUENCE**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two  
Room 1B03  
Arlington, VA 22202

Sir:

This Substitute Sequence Listing and Statement as required under 37 C.F.R. § 1.825(A) and (B) is filed in response to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated January 15,

CERTIFICATE OF EXPRESS MAIL	
NUMBER <b>EL 831789188 US</b>	
DATE OF DEPOSIT <b>February 1, 2002</b>	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner for Patents, 2011 South Clark Place, Crystal Plaza Two, Room 1B03, Arlington, VA 22202.	
 Signature	

2002. The shortened statutory period to answer this Notice expires on March 15, 2002; therefore, this response is believed to be timely filed.

Enclosed is a substitute computer readable form and a substitute paper copy of the sequence listing of those sequences in the captioned patent application, wherein said sequence listing has been updated. The substitute computer readable form of the sequence listing is the same as the substitute paper copy of the sequence listing enclosed herewith. The sequence information provided in the original specification is also the same as the sequence listing of the enclosed substitute computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Also enclosed is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, as requested in said Notice.

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Attorney for Assignee  
MONSANTO TECHNOLOGY LLC

Date: February 1, 2001